

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

ANNIE L. FEAGIN,)	
)	
Plaintiff,)	
)	
v.)	No. 1:20-cv-01107-JPH-MJD
)	
JPMORGAN CHASE BANK, N.A.,)	
)	
Defendant.)	
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JPMORGAN CHASE BANK, N.A.,)	
)	
Counter Claimant,)	
)	
v.)	
)	
ESTATE OF DONNA G. TUOHY Through)	
Personal Representative Garth Madison,)	
ANNIE L. FEAGIN,)	
)	
Counter)	
Defendants.)	

**ORDER DENYING MOTION FOR ENTRY OF DEFAULT AND GRANTING
MOTION FOR LEAVE TO FILE ANSWER**

JP Morgan Chase Bank, N.A., has moved for clerk's entry of default as to Annie Feagin for her failure to answer its counterclaim. Dkt. 23. Ms. Feagin then filed a motion for leave to file an answer, as well as an answer to the counterclaim. Dkt. 24; dkt. 25. The Court **GRANTS** Ms. Feagin's motion for leave to file answer, dkt. [24], and accepts Ms. Feagin's answer, dkt. 25, as the operative pleading on file with this Court. *See A. Bauer Mech., Inc. v. Joint*

Arbitration Bd. of Plumbing Contractors' Ass'n and Chicago Journeymen Plumbers' Local Union 130, U.A., 562 F.3d 784, 790 (7th Cir. 2009). JP Morgan Chase Bank, N.A.'s motion for clerk's entry of default, dkt. [23], is therefore **DENIED**. See Fed. R. Civ. P. 55(a); *Sun v. Bd. of Trs. of Univ. of Ill.*, 473 F.3d 799, 811–12 (7th Cir. 2007).

SO ORDERED.

Date: 6/18/2020



James Patrick Hanlon
United States District Judge
Southern District of Indiana

Distribution:

ESTATE OF DONNA G. TUOHY Through Personal Representative Garth
Madison

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